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6 Attorneys for Defendants Northeast Washington
7 Alliance Counseling Services; Stevens County;
8 Clear Risk Solutions; Washington Rural Counties
9 Insurance Program; Martha Fairley; and David Nielsen, Ph.D.

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

STEPHANIE R. RASKIN, an
unmarried individual,

Plaintiff,

Case No.

vs.

Stevens County Superior Court Cause
No. 22-2-00380-33

NORTHEAST WASHINGTON
ALLIANCE COUNSELING
SERVICES, a Steven's County,
Washington Agency; STEVENS
COUNTY, a Washington state
county; CLEAR RISK SOLUTIONS,
a Washington corporation;
WASHINGTON RURAL
COUNTIES INSURANCE
PROGRAM; HUB
INTERNATIONAL INSURANCE
SERVICES, INC., a Washington
corporation; MARTHA FAIRLEY,
Supervisor, Northeast Washington
Alliance Counseling Services;

NOTICE OF REMOVAL OF
ACTION

1 DAVID NIELSEN, Ph.D., Executive
2 Director, Northeast Washington
3 Alliance Counseling Services,

4 Defendants.

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6 TO: The Clerk of the Court

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8 **PLEASE TAKE NOTICE** that attorneys for Defendants Northeast
9 Washington Alliance Counseling Services, Stevens County, Clear Risk Solutions,
10 Washington Rural Counties Insurance Program, Martha Fairley and David
11 Nielsen, Ph.D., hereby remove to this Court the state action described below.
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14 **1. State Court Action**

15 Plaintiff's Complaint was filed in the Stevens County Superior Court on
16 September 26, 2022. *See Certificate of Michael McFarland*, Ex. A. Removing
17 Defendants were each served with the Summons and Complaint between
18 September 26, 2022 and September 30, 2022. *See Certificate of Michael*
19 *McFarland*, Ex. B.
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23 **2. Federal Question Jurisdiction**

24 Plaintiff's Complaint alleges that Defendants terminated her employment in
25 violation of the Americans with Disabilities Act (ADA) 42 U.S.C § 12102(1).
26 *Complaint*, ¶ 37. Plaintiff further alleges that Defendants retaliated against her by
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1 obtaining her medical and psychological records by forcing her to sign a consent
2 under duress in violation of HIPAA rules and standards. *Id.*, at ¶ 38, 44.

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4 Accordingly, this action is removable to federal court under 28 U.S.C. §
5 1441, as Plaintiff's claims arise under the Constitution, laws or treaties of the
6 United States, and this Court would have had original jurisdiction over Plaintiff's
7 claims under 28 U.S.C. §§ 1331 had Plaintiff elected to file the action in federal
8 court. This Court is the District Court of the United States embracing the place
9 where the state court action is currently pending, and is therefore the appropriate
10 Court for removal pursuant to 28 U.S.C. § 1441(a).

14 3. Timely Removal

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16 The Removing Defendants were each served with the Summons and
17 Complaint between September 26, 2022 and September 30, 2022. This Notice of
18 Removal is filed within 30 days after the service of the Complaint. *See* 28 U.S.C.
19 § 1446(b). Additionally, Defendants Northeast Washington Alliance Counseling
20 Services, Stevens County, Clear Risk Solutions, Washington Rural Counties
21 Insurance Program, Martha Fairley and David Nielsen, Ph.D., have consented to
22 this removal. *Certificate of Michael McFarland*. In response to the plaintiff's
23 October 11, 2022 Motion, Stevens County Superior Court on October 12, 2022
24 issued an Order dismissing with prejudice the plaintiff's claims against Defendant

1 HUB International Insurance Services, Inc. *See Certificate of Michael McFarland,*
2 Ex. B.

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4 **4. Papers Served**

5 Copies of all process and any pleading served upon Defendants are attached
6 as **Exhibits A-C** to the Certificate of Attorney.
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10 DATED this 14th day of October, 2022.

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12 EVANS, CRAVEN & LACKIE, P.S.

13
14 By: s/ Michael E. McFarland, Jr.
15 MICHAEL E. McFARLAND, JR., #23000
16 Attorneys for Defendants Northeast Washington
17 Alliance Counseling Services; Stevens County;
18 Clear Risk Solutions; Washington Rural Counties
19 Insurance Program; Martha Fairley; and David
20 Nielsen, Ph.D.
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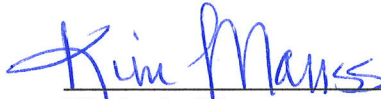
CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury under the laws of the state of Washington, that on the 14th day of October, 2022, the foregoing was delivered to the following persons in the manner indicated:

Counsel for Plaintiffs

Matthew T. Macklin
Stratagem Law Group, PLLC
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Email: mtm@stratagemlawgroup.com

Via Regular Mail	[]
Via Certified Mail	[]
Via Overnight Mail	[]
Via Facsimile	[]
Hand Delivered	[]
Via Email	[X]



Kimberly Mauss